

Applicant further respectfully submits that Lake does not describe "a propulsion system connected to said frame" (Claim 1). Lake's propeller and gimbaled frame is only a portion of a propulsion system, the actual motive power is connected to the gondola, or car, (Lake, page 4, lines 5-9) which is why Lake requires an intricate belt drive system to the propeller (Lake, Fig. 1). Accordingly, Lake does not describe each and every element of Applicant's Claim 1. Applicant respectfully requests that the Examiner withdraw the rejection of Applicant's independent Claim 1. Applicant further respectfully requests that the Examiner withdraw his rejections of dependent Claims 10-12 and 19-22 as being allowable in their own right and as being dependent from an allowable claim.

Applicant respectfully submits that Lake does not describe a method of landing on water that includes "pivoting said first and second hulls relative to said frame to place a buoyant volume of said first and second hulls below said frame" (Claim 27). Lake discloses a gondola, or "lower section B" in the "form of a boat" (Lake, page 3, lines 126-130) and which apparently is designed to act in that capacity in the event of a water landing (Lake, page 5, lines 57-79). Lake does not describe placing "a buoyant volume of said first and second hulls below said frame" (Claim 27). Because Lake's hulls and frame form "a thoroughly rigid structure," it would be impossible for Lake to pivot both hulls below the frame (Lake, page 2, lines 81 to 110).

Obviousness

The Examiner has rejected dependent claims 2-4, 6, 17, 23, 29, and 30 as being unpatentable over Lake in view of McDermott under 35 USC 103(a). One element of a prima facie case of obviousness is that the prior art references must teach or suggest each claim limitation. Following the discussion above, Lake does not teach or suggest "first and second hulls pivotally coupled to said frame" (Independent Claims 1 and 24) where Lake shows the relationship of the frame and the hulls to be "a thoroughly rigid structure" (Lake, page 2, lines 81 to 110). Likewise, Lake does not teach or suggest "pivoting said first and second hulls relative to said frame to place a buoyant volume of said first and second hulls below said frame" (Claim 27) where Lake has taught using the gondola car as a boat, with no mention of pivoting or otherwise moving the hulls below the frame. Accordingly, the combination of Lake and McDermott do not teach or suggest each claim limitation and so do not provide adequate foundation for a prima facie case of obviousness. Applicant respectfully requests that the Examiner withdraw the rejections of claims 2-4, 17, and 23 as being allowable in their own right and as depending from allowable Claim 1. Applicant also respectfully requests that the Examiner withdraw the rejections of claims 29 and 30 as being allowable in their own right and as depending from allowable Claim 27.

Patentable Subject Matter

Applicant sincerely appreciates the Examiner's identification of patentable subject matter in Claims 5, 7-9, 13, 15, 16, 18, 25, and 28. Because Applicant believes that the Examiner's rejections relating to the independent claims and other depended-from claims have been

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effectively traversed, Applicant respectfully requests that Claims 5, 7-9, 13, 15, 16, 18, 25, and 28 be allowed.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

If the Examiner believes that prosecution of this matter would be expedited by a telephonic conference with Applicant's attorney, please call 480 390-6179.

Respectfully submitted,

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